

## **Environmental assessment (EIA, SEA)**

### **Resumé**

This paper is concerned with Strategic environmental assessment (SEA) which is an instrument of environmental law used for assessing impacts of strategic actions on the environment.

First chapter deals with definition of SEA, its advantages and disadvantages and its relationship with Environmental Impact Assessment (EIA). SEA was introduced in order to overcome the limits of EIA, mainly EIA's inability to deal with cumulative impacts and wrong timing.

Second chapter is about international legal basis of SEA. Several international treaties regarding SEA are mentioned, among others Treaty from Espoo and Kyiv Protocol.

Third chapter outlines development of SEA in European Union law. At first a broader context of European environmental law is set out and some of the basic principles are defined. Subsequently history of SEA Directive is described and its content is analyzed. Also a comparison of SEA Directive and Kyiv Protocol is provided.

Fourth chapter deals with legal framework of SEA in the Czech Republic. At first, history of SEA legislative in the Czech Republic is introduced. Then contemporary law, i.e. Act no. 100/2001 Coll., is analyzed in greater detail and the focus is on formal procedure and its individual steps. Special procedure of SEA in new Building code is also mentioned.

Fifth chapter describes practical use of SEA in the United Kingdom (UK). Firstly, different models of environmental models formerly used in the UK are described, namely Environmental Appraisal and Sustainability Appraisal. After that, the transposition of SEA Directive is described. Focus is then on practical usage of environmental assessment in planning legislation. The UK joined SEA procedure with broader Sustainability Appraisal procedure, which is comparable to the Czech procedure under the new Building code.

In sixth chapter, a comparison of several aspects of SEA in both jurisdictions is provided. An emphasis is put on practical usage of the instrument. It was found out that whereas British practice is more focused on quality of the assessment, in the Czech Republic fulfilment of formal and legal obligations is often more important. However, this formalized approach might lead to undesirable "emptying" of SEA and its reduction to mere formal procedure without any practical contribution to the protection of environment. Therefore, greater stress should be put on quality of assessments.